



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 24, 1996

Mr. Ed C. Jones  
County Attorney  
Angelina County  
P.O. Box 1845  
Lufkin, Texas 75902-1845

OR96-1920

Dear Mr. Jones:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101568.

The Angelina County Tax Assessor-Collector (the "assessor-collector") received a request for vehicle registration information for a particular license plate number. You claim that the requested information is excepted from disclosure because under section 502.008 of the Transportation Code the assessor-collector has the discretion to deny such requests for information. We have considered your arguments and reviewed the submitted information.

Section 502.008(a) of the Transportation Code provides:

(a) The department or a county may not release to any person information contained in vehicle registration records in response to a telephone inquiry by license number. The department or a county may release information only if the person:

(1) submits in writing a request that:

(A) provides the person's name and address; and


(B) states that the use of the information is for a lawful and legitimate purpose; or

(2) enters into a written service agreement with the department or county to receive the information.

Transp. Code § 502.008(a). You claim that the use of the word "may" gives the assessor-collector the discretion to deny a request under this section. We disagree. We discussed this issue under the predecessor statute, article 6252-17A, V.T.C.S., in Open Records Decision No. 583 (1990). In that opinion, we concluded that when a written request containing the information specified by the statute is received, the requested information must be released unless the information is within an exception enumerated in chapter 552 of the Government Code. Open Records Decision No. 583 (1990) at 2-3. We enclose a copy of Open Records Decision No. 583 (1990) for your information. Here, the requestor has provided the assessor-collector with a legitimate purpose, as well as with his name and address. As the assessor-collector has not claimed any exception to disclosure under chapter 552 of the Government Code, the assessor-collector must provide the requested information to the requestor.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee  
Assistant Attorney General  
Open Records Division

SES/ch

Ref.: ID# 101568

Enclosures: Submitted document  
Open Records Decision No. 583 (1990)

cc: Mr. Al Soape  
P.O. Box 734  
Colmesneil, Texas 75938  
(w/Open Records Decision No. 583 (1990); w/o submitted document)